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TM02/0619

EXAMINER

CHEN, T

ART UNIT

PAPER NUMBER

2171

DATE MAILED:

06/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/224,262

Applicant(s)

Kenneth et al.

Examiner

Te(Susan) Chen

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on Jan 27, 1999

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-28 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-28 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirements.

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11) ☒ The proposed drawing correction filed on Dec 31, 1998 is: a) ☒ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some\* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16) ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4

20) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. Claims 1-28 are presented for examination.
2. It is noted that although the present application does contain line numbers in the specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both Examiner and Applicant all future correspondence should include the recommended line numbering.

### ***Claim Rejections - 35 USC § 112***

3. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claim 14, it is not understood what is a computed “tomology” imaging system? [i.e. Is the word --“tomology”-- a typo of “tomography”?]

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*Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

5. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Foo et al. (U.S. Patent No. 6,198,283).

6. As to claim 1, Foo et al. taught the invention as claimed, including:

- a) a medical diagnostic station configured to store medical image data [1012, Fig. 7; Fig. 9];
- b) a field service unit configured to generate service requests [1024, Fig. 7];
- c) a service facility coupled to the medical diagnostic station and to the field service unit via network links for receiving the service requests from the field service unit and transmitting requested data to the field service unit [1022, Fig. 7].

7. As to claims 2 and 7, Foo et al. further disclosed the system comprising a plurality of medical diagnostic stations of different modalities, and wherein the standard service functions of

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service requests include modality-specific functions [1090, 1120, 1122, Fig. 9; col. 10, lines 31-35].

8. As to claim 3, Foo et al. further disclosed the field service unit of the system is configured to transmit the service request via an electronic message to the service facility, and the service facility is configured to transmit the data to the field service unit via an electronic response message [col. 10, lines 49-66].

9. As to claim 4, Foo et al. further disclosed the service facility is configured to verify consistence between components of the service requests received from the field service unit prior to accessing the data from the medical diagnostic system [col. 11, lines 1-16].

10. As to claim 5, Foo et al. further disclosed the system including at least one database for storing historical service data for the diagnostic station, and the service facility is configured to access the historical service data for response the service request from the field service unit [1102, 1088, Fig. 8; col. 10, lines 58-63].

11. As to claim 6, Foo et al. further disclosed the service facility is configured to receive the service request, access the data from the diagnostic system and transmit the data to the field service unit automatically and without operator intervention [Fig. 10; col. 12, lines 42-45].

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12. As to claims 8-15, these claims repeat either the same limitations of claims 1-7 or well known features in the medical diagnostic system. As the method and architecture of these claims has been shown to be taught or fairly suggested by Foo et al. As such, these claims are rejected for the same reasons given above.

13. As to claims 16-28, the steps in the claimed method are deemed to be made obvious by the functions of the apparatus structure in the combination discussed above, hence were rejected for the same reasons.

### *Conclusion*

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Iliff (U.S. Patent No. 6,206,829); Policastro et al. (U.S. Patent No. 5,012,411); and Lee (U.S. Patent No. 4,838,275).

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Chen whose telephone number is (703) 308-1155. The examiner can normally be reached Monday through Friday from 7:30 A.M. to 4:30 P.M.

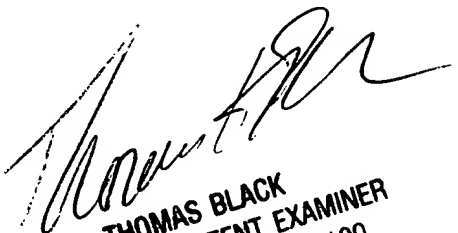
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16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached at (703) 305-9707. The fax phone number for this group is (703)306-5404.

17. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Susan Chen

June 9, 2001



THOMAS BLACK  
SUPERVISORY PATENT EXAMINER  
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